



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/925,868	09/09/97	ISBARA	INPA: 035

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MM51/1102

EXAMINER	
WELLS, K	
ART UNIT	PAPER NUMBER
2816	

DATE MAILED: 11/02/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/925,868

Applicant(s)

ISBARA

Examiner

Kenneth B. Wells

Group Art Unit

2816



☒ Responsive to communication(s) filed on 9-17-98

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-16 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-16 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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**DETAILED ACTION**

1. Applicant's amendment filed on 9/17/98 has been received and entered in the case. The amendments and arguments presented therein overcome the indefiniteness rejections and informality objections, however the prior art rejection is maintained, as set forth below.

2. The text of those sections of Title 35, U.S. code not included in this action can be found in a prior office action.

***Claim Rejections - 35 USC § 103***

3. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howell or Chown et al.

The claimed invention is merely an input signal being applied to an inverter through a resistive load which is notoriously well-known in the art, of which fact official notice is taken. The load being a FET biased as a resistor with a capacitor thereacross is also well-known in the art, as shown by the two above-noted references. The motivation for using this type of well-known resistive load is to enable adjustment of the impedance, as taught by Chown et al, see column 2, lines 19-24. The feedback FET 28 is also notoriously well-known in the art for

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the purpose of latching the output signal at a high logic level. The resistive element coupled between the bias voltage and the control terminal of the FET would have been obvious as well for the purpose of setting the voltage applied to the gate of the FET to a value less than the bias voltage, as is well-known in the semiconductor art.

#### ***Response to Arguments***

4. Applicant's arguments filed on 9/17/98 have been fully considered but they are not persuasive.

The first two arguments are that "Howell does not convert signals of a first preselected level to a second preselected level" and that Chown is not "analogous prior art". The first argument is not persuasive because it is clear to the examiner that since the claimed structure is fully met by the prior art of record (under 35 USC 103), the resulting function claimed by applicant will be inherent, i.e., if the claimed structure is obvious, then the recited function will be inherent in the reference as modified above. The second argument is also without merit because Chown clearly discloses a circuit which inherently

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performs level conversion and thus it is not understood how this reference is "nonanalogous".

The further argument that neither reference teaches or suggests the recited pump element is again not persuasive because by applicant's own admission the pump is merely the result of an inherent (parasitic) capacitance, which the prior art obviously has, and a resistor, which would have been obvious for the reason noted in the previous office action.

The final argument concerning charging the gate of the pass transistor to third or fourth levels is also without merit for the same reason noted above, i.e., if the claimed structure is met by the prior art, any recited results or corresponding function will also be met.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire

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on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (703) 308-4809. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Kenneth B. Wells  
Primary Examiner  
Art Unit 2816

November 2, 1998